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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,507	03/23/2001	Michel Degraeve	VANM209.001AUS	5651

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EXAMINER

LAZARO, DAVID R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/815,507	DEGRAEVE, MICHEL	
	Examiner	Art Unit	
	David Lazaro	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/23/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>Paper 4 05/01/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 are pending in this Office Action.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 05/01/01 has been considered by the Examiner.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Method of Directing the Transfer of Data in a Database Using a Mobile Phone".

Claim Objections

5. Claims 5 and 14 are objected to because of the following informalities: The use of "securitized" is improper. Using "secured" would be proper. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 8 recites the limitation "the selection" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 7-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,742,022 by King et al. (King) in view of U.S. Patent 6,097,793 by Jandel (Jandel).

11. With respect to Claim 1, King teaches a method of sending data stored in a database from a sender to a recipient (Col. 7 lines 35-65), which are mobile phone users (Col. 5 lines 25-29), in relationship with a manager defining a managing software application (Col. 5 lines 44-58), said database and said manager being in connection with a website (Col. 7 lines 8-20), comprising: entering into a connection between the

sender and the manager (Col. 7 lines 35-42), wherein the sender enters into said connection with the manager and provides sender identification to the manager (It is inherent that some form of sender identification is provided since the manager can communicate results and status of service requests back to the sender - Col. 7 lines 35-42 and Col. 9 lines 18-22); transferring an identifier to the manager, wherein the sender transfers said identifier comprising at least a recipients phone number (Col. 7 lines 62-65). King does not explicitly disclose associating an email address or URL with the identifier such as a mobile phone number. Jandel teaches associating an identifier such as a mobile phone number with an email address or URL (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by King and modify it as indicated by Jandel such that the method further comprises transferring an identifier to the manager, wherein the sender transfers said identifier comprising at least a recipients mobile phone number; and associating an e-mail address or URL address with said identifier by the manager. One would be motivated to have this as it simplifies and enhances communications through the correlation of one addressing identity to multiple addressing identities (Col. 1 lines 40-61, Jandel) ^(m)

12. With respect to Claim 2, King in view of Jandel teaches all the limitations of Claim 1 and further teaches said identifier comprises furthermore a code related to a selection in the database of the data to be transmitted, said manager associating said data to be transmitted to said e-mail address or said URL address (Col. 7 lines 52-64 of King).

13. With respect to Claim 3, King in view of Jandel teaches all the limitations of Claim 1 and further teaches said manager associates the recipient's e-mail address with said identifier (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19 of Jandel), wherein the manager sends an e-mail to said recipient (Col. 7 lines 53-65 and Col. 9 lines 26-35 of King - Note the examiner interprets a service request could include the email of a data file), said data being attached to said e-mail (Col. 8 lines 11-23 and Col. 2 lines 33-35), in case the recipients e-mail address is known to the manager and is listed in a central database (Col. 5 lines 9-19 of Jandel).

14. With respect to Claim 7, King teaches a method of retrieving data being stored in a database (Col. 7 lines 35-65), and belonging to an owner, by a recipient who is a mobile phone user (Col. 5 lines 25-29), in relationship with a manager defining a managing software application (Col. 5 lines 44-58), said database and said manager being in connection with a web site, towards a recipient (Col. 7 lines 8-20), comprising; entering into a connection between the recipient and the manager (Col. 7 lines 35-42), wherein the recipient enters into the connection with the manager by sending an identifier to said manager, and wherein said identifier allows said manager to identify said owner (Col. 7 lines 52-59); and identifying the recipient by the manager through the recipient's mobile phone number (Col. 7 lines 62-65). King does not explicitly disclose associating an e-mail address or a URL address with the recipient's mobile phone number. Jandel teaches associating an identifier such as a mobile phone number with an email address or URL (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made

to take the method disclosed by King and modify it as indicated by Jandel such that the method further comprises said manager associates an e-mail an e-mail address or a URL address with the recipient's mobile phone number. One would be motivated to have this as it simplifies and enhances communications through the correlation of one addressing identity to multiple addressing identities (Col. 1 lines 40-61).

15. With respect to Claim 8, King in view of Jandel teaches all the limitations of Claim 7 and further teaches said recipient adds a code to said identifier, said code being related to the selection of the data to be transmitted, said manager associating said data to be transmitted to said e-mail address or said URL address (Col. 7 lines 52-64 of King).

16. With respect to Claim 9, King in view of Jandel teaches all the limitations of Claim 7 and further teaches said manager, after identifying said recipient, immediately sends a message comprising a summary of the data of the owner to said recipient's mobile phone (Col. 7 lines 37-52 of King).

17. With respect to Claim 12, King in view of Jandel teaches all the limitations of Claim 7 and further teaches said manager associates the recipient's e-mail address with said identifier (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19 of Jandel), wherein the manager sends an e-mail to said recipient (Col. 7 lines 53-65 and Col. 9 lines 26-35 of King - Note the examiner interprets a service request could include the email of a data file), said data being attached to said e-mail (Col. 8 lines 11-23 and Col. 2 lines 33-35), in case the recipients e-mail address is known to the manager and is listed in a central database (Col. 5 lines 9-19 of Jandel).

18. Claims 4, 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Jandel as applied to claim 1 above, and further in view of U.S. Patent 6,246,871 by Ala-Laurila (Ala-Laurila) and U.S. Patent 6,516,203 by Enzmann et al. (Enzmann).

19. With respect to Claim 4, King in view of Jandel teaches all the limitations of Claim 1 and further teaches wherein said manager associates a URL address with said identifier (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19 of Jandel), said URL offering access to a web page comprising data (Col. 5 lines 9-19 of Jandel). The examiner notes that in certain embodiments of King in view of Jandel, an e-mail address may not be known (Col. 2 lines 46-50 and Col. 3 lines 59-61 of Jandel). King in view of Jandel does not explicitly disclose sending an SMS message comprising the URL to the recipients mobile phone with the URL address being parameterized with the recipient's mobile phone number. Ala-Laurila teaches a URL to data to be accessed by the recipient (Col. 5 lines 14-20 of Ala-Laurila) that can be sent via a SMS message to the recipient's mobile phone number (Col. 5 lines 14-20 and Col. 4 lines 25-27 of Ala-Laurila). Enzmann teaches a URL can be parameterized with a mobile phone number (Col. 2 lines 6-9 of Enzmann). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by King in view of Jandel and modify it as indicated by Ala-Laurila and Enzmann such that the method further comprises wherein the manager sends an SMS message comprising said URL

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address to the recipient's mobile phone, said URL address offering access to a web page comprising said data, said URL address being parameterized with the recipient's mobile phone number, and wherein the manager sends the SMS message in case the recipient's e-mail address is not known to the manager. One would be motivated to use SMS messaging as it is a cheap way of communicating short messages (Col. 1 lines 16-26 of Ala-Laurila). One would be motivated to have a URL parameterized with a mobile phone number as there is need to associate information with a particular number (Col. 1 lines 9-26 of Enzmann).

20. With respect to Claim 5, King in view of Jandel and in further view of Ala-Laurila and Enzmann further teaches said URL is securitized by a login password which is communicated to the recipient by way of said SMS message (Col. 5 lines 14-20 and Col. 4 lines 25-27 of Ala-Laurila)

21. With respect to Claim 13, King in view of Jandel teaches all the limitations of Claim 7 and further teaches wherein said manager associates a URL address with said identifier (Col. 1 line 66 - Col. 2 line 14 and Col. 5 lines 9-19 of Jandel), said URL offering access to a web page comprising data (Col. 5 lines 9-19 of Jandel). The examiner notes that in certain embodiments of King in view of Jandel, an e-mail address may not be known (Col. 2 lines 46-50 and Col. 3 lines 59-61 of Jandel). King in view of Jandel does not explicitly disclose sending an SMS message comprising the URL to the recipients mobile phone with the URL address being parameterized with the recipient's mobile phone number. Ala-Laurila teaches a URL to data to be accessed by the recipient (Col. 5 lines 14-20 of Ala-Laurila) that can be sent via a SMS message to the

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recipient's mobile phone number (Col. 5 lines 14-20 and Col. 4 lines 25-27 of Ala-Laurila). Enzmann teaches a URL can be parameterized with a mobile phone number (Col. 2 lines 6-9 of Enzmann). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by King in view of Jandel and modify it as indicated by Ala-Laurila and Enzmann such that the method further comprises wherein the manager sends an SMS message comprising said URL address to the recipient's mobile phone, said URL address offering access to a web page comprising said data, said URL address being parameterized with the recipient's mobile phone number, and wherein the manager sends the SMS message in case the recipient's e-mail address is not known to the manager. One would be motivated to use SMS messaging as it is a cheap way of communicating short messages (Col. 1 lines 16-26 of Ala-Laurila). One would be motivated to have a URL parameterized with a mobile phone number as there is need to associate information with a particular number (Col. 1 lines 9-26 of Enzmann).

22. With respect to Claim 14, King in view of Jandel and in further view of Ala-Laurila and Enzmann further teaches said URL is securitized by a login password which is communicated to the recipient by way of said SMS message (Col. 5 lines 14-20 and Col. 4 lines 25-27 of Ala-Laurila)

23. Claims 6, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Jandel as applied to claim 1 above, and further in view of Enzmann.

24. With respect to Claim 6, King in view of Jandel teaches all the limitations of Claim 1 and teaches a mobile phone device (Col. 5 lines 25-29 of King), but does not explicitly disclose a WAP mobile phone. Enzmann teaches the use of a WAP mobile phone. It would have been obvious to one of ordinary skill in the art to take the method disclosed by King in view of Jandel and modify it as indicated by Enzmann such that the sender uses a WAP mobile phone. One would be motivated to have this as a WAP mobile phone provides for more user friendly browsing (Col. 1 lines 49-50 and Col. 4 lines 15-28 of Enzmann).

25. With respect to Claim 15, King in view of Jandel teaches all the limitations of Claim 7 and teaches a mobile phone device (Col. 5 lines 25-29 of King), but does not explicitly disclose a WAP mobile phone. Enzmann teaches the use of a WAP mobile phone. It would have been obvious to one of ordinary skill in the art to take the method disclosed by King in view of Jandel and modify it as indicated by Enzmann such that the sender uses a WAP mobile phone. One would be motivated to have this as a WAP mobile phone provides for more user friendly browsing (Col. 1 lines 49-50 and Col. 4 lines 15-28 of Enzmann).

26. With respect to Claim 16, King in view of Jandel teaches all the limitations of Claim 15 and further teaches said recipient gains direct access to a WAP site owned by said data owner (Col. 4 lines 45-58 of Enzmann).

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27. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Jandel as applied to claim 9 above, and further in view of Ala-Laurila.

28. With respect to Claim 10, King in view of Jandel teaches all the limitations of Claim 9 but does not explicitly disclose the message being an SMS message. Jandel teaches a message can be a SMS message (Col. 4 lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by King in view of Jandel and modify it as indicated by Ala-Laurila such that said message is an SMS message. One would be motivated to use SMS messaging as it is a cheap way of communicating short messages (Col. 1 lines 16-26 of Ala-Laurila).

29. With respect to Claim 11, King in view of Jandel teaches all the limitations of Claim 9 but does not explicitly disclose the message being an vocal message. Jandel teaches a message can be a vocal message (Col. 4 lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by King in view of Jandel and modify it as indicated by Ala-Laurila such that said message is vocal message. One would be motivated to use a vocal message as it is more efficient for longer or complex messages (Col. 1 lines 16-26 of Ala-Laurila).

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

31. U.S. Patent 5,987,508 by Agraharam et al. "Method of providing seamless cross-service connectivity in telecommunications network" November 16, 1999. Broadly discloses the association of an identifier including a phone number that is associated with a real e-mail address.

32. U.S. Patent 6,065,120 by Laursen et al. "Method and system for self provisioning a rendezvous to ensure secure access to information in a database from multiple devices" May 16, 2000. Discloses access control based on credentials provided by the account trying to access the rendezvous.

33. U.S. Patent 6,240,445 by Kumar et al. "Computer implemented method and apparatus for receiving facsimile messages using an identifier appended to a shared telephone number" May 29, 2001. Discloses the use of a unique identifier to be associated with a particular type of communication. The data can be sent through an email or can be accessed at a URL provided in a form of a notification message.

34. U.S. Patent 6,256,666 by Singhal "Method and system for remotely managing electronic mail attachments" July 3, 2001. Discloses the ability to manage email attachments from a device such as a mobile phone by manipulating the subject line of an email sent to the system.


35. U.S. Patent 6,393,421 by Paglin "Communication method and system utilizing a specific communication code uniquely assigned to the data record" May 21, 2002.


Discloses the use of a code that when entered into the system, retrieves the data associated with that code.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 703-305-4868. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David Lazaro
July 19, 2004


HOSAIN ALAM
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